



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

000001

JUN 17 1994

REPLY TO THE ATTENTION OF

HSE-SJ/EERB

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

EPA Region 5 Records Ctr.



247004

RE: Standard Scrap Metal/Chicago International Exporting Site
4004 South Wentworth Avenue & 4000 South Wells Street
Chicago, Illinois
General Notice of Potential Liability

Dear Sir or Madam:

The United States Environmental Protection Agency (U.S. EPA) has documented the release or threat of release of hazardous substances, pollutants and contaminants into the environment from the above-referenced facility, and is planning to spend public funds to investigate and control these releases. This action will be taken by U.S. EPA pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §9601 et seq. (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499, 100 Stat. 1613 (1986) (SARA), unless U.S. EPA determines that such action will be done properly by a responsible party or parties. Responsible parties under CERCLA include the current and former owners and operators of the facility, persons who generated the hazardous substances, and persons who were involved in the transport, treatment or disposal of the hazardous substances at the facility. Under Section 107(a) of CERCLA, where U.S. EPA uses public funds towards the cleanup of the hazardous substances, responsible parties are liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the facility, including investigation, planning and enforcement costs.

U.S. EPA is currently planning to conduct the following actions at the above-referenced facility:

1. Develop and implement a Removal Action Work Plan to address the sampling and disposal of all hazardous wastes or hazardous substances identified at the facility. This Plan shall include an Extent of Contamination Study of the east and west lots, including soil borings beneath the cement pads. In addition, a Sampling Plan and Health and Safety Plan shall be submitted prior to conducting any removal actions. Sampling shall be conducted at neighboring residences to assess if polychlorinated biphenyls (PCBs), lead, cadmium, dioxin or other hazardous substances are above U.S. EPA residential standards.
2. Secure the Site by placing a six foot chain link fence with three strand barbed wire around the west lot, and secure the east lot during operating hours by locking the fence or posting a guard.
3. Implement dust control procedures and install equipment to eliminate fugitive dust emissions from the Site. Specifically, eliminate dust and emissions from the electric motor shredding and separation operation, and the copper recovery system inside the main building. Conduct air monitoring for PCBs, lead, and cadmium using high volume air sampling devices to assess if any fugitive dust emissions are exiting the Site.
4. Eliminate burning or incineration of material in drums, pits, or other unregulated open containers or areas.
5. Restrict access to contaminated areas by employees, truck drivers, and to the public.
6. Treat and/or dispose of all contaminated soils at a Resource Conservation and Recovery Act (RCRA)-approved disposal facility. Contaminated soils include all soils with concentrations of PCBs which exceed 10 parts per million (ppm), and/or concentrations of lead which exceed 5 milligrams per liter (mg/l) Toxicity Characteristic Leaching Procedure (TCLP), and/or concentrations of cadmium which exceed 1 mg/l TCLP, and/or concentrations of dioxin which exceed 1 part per billion (ppb) 2,3,7,8 TCDD total equivalency factor, and/or concentrations of any other hazardous substance found on Site which exceeds the applicable Federal clean-up standards.
7. Remove and dispose of the concrete pads and underlying soils if sampling confirms contamination above clean-up standards as described in #6 above.

8. Decontaminate and/or dispose of scrap metal contaminated above clean-up standards as described in #6 above.
9. Conduct confirmation sampling to document that all appropriate U.S. EPA clean-up standards have been met.

U.S. EPA has received information that you or your organization may have owned or operated the facility or generated or transported hazardous substances that were disposed of at the facility. By this letter, U.S. EPA notifies you of your potential liability with regard to this matter and encourages you, as a potentially responsible party, to agree to reimburse U.S. EPA for costs incurred to date and to voluntarily perform or finance the response activities which U.S. EPA has determined or will determine are required at the facility. U.S. EPA intends to issue a Unilateral Administrative Order (UAO) under Section 106 of CERCLA, requiring you to perform specified work. Under Sections 106 and 107 of CERCLA, you may be liable for reimbursement of U.S. EPA's costs, for statutory penalties, and for treble damages for noncompliance with such an order.

Because of the conditions described above, U.S. EPA believes that response activities at the site must be initiated as quickly as possible. Therefore, U.S. EPA does not intend to utilize the special notice procedures available under Section 122(e) of CERCLA.

As a potentially responsible party, you should notify U.S. EPA in writing within five (5) calendar days of receipt of this letter of your willingness to perform or finance the activities described above and to reimburse U.S. EPA for its costs. Your response should be sent to:

Debbie F. Regel
U.S. EPA - Region V
Emergency Support Section HSE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604

If U.S. EPA does not receive a timely response, U.S. EPA will assume that you do not, or your organization does not wish to resolve your or its potential responsibility in connection with the facility and that you have, or your organization has declined any involvement in performing the response activities.

Your response should indicate the appropriate name, address and telephone number for further contact with you. If you are already involved in discussions with State or local authorities or involved in a lawsuit regarding this facility, you may continue such activities as you see fit. This letter is not intended to advise you or direct you presently to restrict or

discontinue any such activities already underway; however, you are advised to report the status of those discussions or actions in your response to this letter and to provide a copy of your response to any other parties involved in those discussions or actions.

If you need further information regarding this letter, you may contact Kurt Lindland, of the U.S. EPA Office of Regional Counsel at (312) 886-6831.

Due to the nature of the problem at this facility and the attendant legal ramifications, U.S. EPA strongly encourages you to submit a written response within the time frame specified herein. We hope you will give this matter your immediate attention.

Sincerely yours,

Donald J. Bruce

for Richard C. Karl, Chief
Emergency & Enforcement Response Branch

bcc: Kurt Lindland, ORC (CS-3T)
Steve Faryan, OSC (HSE-5J) or (GI)
Jose Cisneros, ESS (HSE-5J)
Debbie Regel, ESS (HSE-5J)
Toni Lesser, Public Affairs (P-19J)
Don Henne, Department of Interior
Alicia Corley, SETS (OS505)
Tony Audia, Accounting (MF-10J)
EERB Site File
EERB Read File
Oliver Warnsley, RP-CRU (HSM-5J)